

REMARKS

Prior to entry of this Amendment, Claims 19 and 21-42 were pending and under consideration. With this Amendment, Claims 19, 22, 26, and 36 have been amended and Claims 44-47 have been added. Thus, after entry of this Amendment, Claims 19 and 21-47 are pending and under consideration.

The Amendments of the Claims

Claim 19 has been amended to include a "a)" in the first paragraph.

Claim 22 has been amended to include the word "approximately". Basis for this amendment is found in the specification at page 6, lines 13-14.

Claim 26 has been amended to recite an embodiment of a means for attachment. Basis for this amendment is found in the specification at page 7, lines 29-30, and FIG. 4.

Claim 36 has been amended to recite a blade attached near the open end of the tool, and an aperture in the body near the open end, wherein the aperture is suitable for attaching the tool to a fisherperson's vest or to a lanyard device. Basis for this amendment is found in the specification at page 6, lines 17-20 and in FIG. 2.

Claim 43 recites an embodiment of the blade. Basis for this amendment is found in the specification at page 4, line 1 and in FIG. 3.

Claim 44 recites an embodiment of a method which utilizes a tool having a blade that includes a concave side. Basis for this claim is found in the specification at page 8, lines 23-37 and in FIG. 3.

Claim 45 recites an embodiment of a curved blade that includes a concave side. Basis for this claim is found in the specification at page 8, lines 23-37 and in FIG. 3.

Claims 46 and 47 concern embodiments of the tool which include means for attaching the tool to clothing or to a lanyard device. Basis for this amendment is found in the specification at page 6, lines 17-20 and in FIG. 2.

All of the amendments and claims are supported throughout the specification and claims as originally filed. For certain claims, specific pages and line numbers where support may be found are provided above. Support for the remaining claims derives from the corresponding claims as originally filed. Accordingly, the amendments do not present new matter and entry is proper.

Conclusion

Newly added Claim 44 recites a method using a tool to open split shot. None of the art of record show or suggest such a method. Newly added Claim 45 recites a tool suitable for use with spit shot, the tool including means for attaching the tool to clothing or to a lanyard device. None of the art of record show or suggest such a tool.

Applicant submits that Claims 19 and 21-47 as amended, or as newly added, satisfy all of the statutory requirements for patentability and are in condition for allowance. An early notification of the same is kindly solicited.

Respectfully submitted,
FOOTHILL LAW GROUP, LLP

Date: July 10, 2005

/John F. Brady/
By: John F. Brady
Reg. No. 39,118

FOOTHILL LAW GROUP, LLP
3333 Bowers Ave., Suite 130
Santa Clara, CA 95054
Phone: 408-293-0880